

RECEIVED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JUN 26 2014
Jun 26. 2014
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

KENNETH JAMES DRAUGHERTY

plaintiff

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

14-cv-4876

Judge Sharon Johnson Coleman
Magistrate Jeffrey T. Gilbert

Salvador A. Godinez
Richard Harrington
Mark Grappenhause
Tracy Harrington
Betsy Spiller
Loni Oakley

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

_____ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

_____ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

_____ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

Defendants

Timothy R. Veath
Anthony D. Wills
Kevin B. Page

I. Plaintiff(s):

- A. Name: Kenneth Daugherty
- B. List all aliases: NONE
- C. Prisoner identification number: # N61174
- D. Place of present confinement: Stateville Correctional Center
- E. Address: P.O. Box 112, Joliet IL 60434

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: Salvador A. Godinez
 Title: S.D.C. Director
1301 Concordia Court,
 Place of Employment: Springfield IL 62794
- B. Defendant: Richard Harrington
 Title: Warden
 Place of Employment: Menard Correctional Center
- C. Defendant: Mark Grappenhause
 Title: Counselor
 Place of Employment: Menard Correctional Center

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

page 4

D. Defendant: Tracy Harrington

Title: Grievance Officer

place of Employment: Menard Correctional Center

E. Defendant: Busty Spiller

Title: Head Counselor

place of Employment: Menard Correctional Center

F. Defendant: Lori Oakley

Title: Grievance Officers

place of Employment: Menard Correctional Center

G. Defendant: Timothy R. Veath

Title: Lieutenant Officer

place of Employment: Menard Correctional Center

H. Defendant: Anthony D. Wills

Title: Officer

place of Employment: Menard Correctional Center

I. Defendant: Kevin B. Page

Title: Lieutenant Officer

place of Employment: Menard Correctional Center

ALL OF THE ABOVE place of Employment with the one Exception of Director Godinez. The rest Address is

Menard Correctional Center

1000 Kaskaskia St

P.O. Box 1000

Menard IL 62259

4

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States: Kenneth Daugherty vs State of Illinois And Illinois Department of Correction

A. Name of case and docket number: (Negligent) Filed docket # 96-CC-0610

B. Approximate date of filing lawsuit: September 20, 1995

C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

Kenneth Daugherty

D. List all defendants: State of Illinois And The Illinois Department of Correction

E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Court of Claims

F. Name of judge to whom case was assigned: Robert Frederick

G. Basic claim made: Negligence, they gave me a wrongful diabetic medication and I don't have Diabetes

H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): It was dismissed

I. Approximate date of disposition: 4-4-1997

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

page 6

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Kenneth Daugherty vs. Joyce Petherick 07-MR-32
- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Kenneth Daugherty
- D. List all defendants: Joyce Petherick
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Court of Claims
- F. Name of judge to whom case was assigned: William A. Schumacher Jr
- G. Basic claim made: Negligence
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): It was appealed but dismissed because I could not pay the \$109.40 to have the record of appeal prepared
- I. Approximate date of disposition: 10-9-2007

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

1. Illinois Department of Correction
Director Salvador A. Godinez, I contacted
Mr Godinez and informed him that his
staff in Menard were denying me the
Constitutional Right to Access the Court
in/by denying me the rights to Exhaustion
of my institutional remedies in violation
of my First amendment right. Which in his
and or in his appointed staff in their
Response Assured would be handle
accordingly Date 7-19-2012, Menard

2. Richard Harrington, Head Warden
Conspirator in the verbal Racial devise
method to place him in Segregation in
retaliation for his Filing of grievances
and to prevent plaintiff from Exhaustion

page 8

of his institutional Remedies and ability
to Access the Court. on 5-16-2012 at Menard
Cic

3. Mark Grappenhause, Counselor,
conspirator in not allowing plaintiff
to Exhaust his institutional Remedies
and rights to Access the Court by discarding
plaintiff grievance's that was placed in
to his hands by plaintiff on 7-25-12 at Menard Cic
West House

4. Tracy Harrington, Grievance officer,
conspirator, who refuse to allow the
plaintiff Exhaustion even on that level
of the grievance procedure

5. Betsy Spiller, Head Counselor, con-
spirator who plaintiff complained to about
Counselor Mark Grappenhause by her
being his boss blatant refusal to allow
plaintiff to access the Court and discarding
of his grievance's despite the Fact

page 9

Besty Spiller did absolutely nothing for
Counselor Mr. Grappenhause condoning
his Action

6. Lori Oakley, Grievance officer at McLeod
correctional center, conspirator, who refuse
to allow the plaintiff Exhaustion even on that
level of the grievance procedure plaintiff
had to file both a grievance on flawed
grievance procedure against them all
Besty Spiller, Tracy Harrington and Mark
Grappenhause. I was forced to file a
Mandamus in which they still have not
complied where I could access the court
to bring any Action in court

7. Timothy B. Veath Lieutenant Conspirator
in the retaliation for the plaintiff Filing
of grievance vs. LT. VEATH while sitting on
the board of the Adjustment Committee
on 5/24/2012 at the time of 9:23 AM stem-
ming from the highly Racial ticket by

9

LT Kevin Page and Warden Richard Harrington upon LT Timothy R. Veath becoming aware on the day of the Hearing that I was never issued a copy Disciplinary Report. LT Veath had all three (3) copies upon that discovery he hand on tore off me a copy and hand it to me while in the process of the Hearing. Therefore plaintiff had no opportunity to prepare a defence, or ability to call witnesses. Upon Request from plaintiff, LT Veath would not even grant him a continuous to prepare a defence, or call witnesses. When plaintiff did not what he was even in segregation for

8. Anthony D. Wills was the Black officer who sat on the Adjustment Committee with LT. Veath and Gondone. LT. Veath deprivation of my rights under the Disciplinary Hearing Entitlements. Officer Wills did not object to none of the wrong doing done by LT. Veath even when Veath threaten to write me another ticket ~~at~~ while at the Hearing for contesting the Disciplinary Report. Officer Wills failed

in his duties as a Committee personal to protect or ~~afford~~ afford me my Rights under the Entitlements governing Disciplinary Hearing and Cosigning on Falsified documents

9. Kevin B. page, Lieutenant who wrote the Racial Disciplinary Report in retaliation for plaintiff filing grievances when told to stop. page sent him to segregation upon leaving seg had me placed in the most highly aggressive cell house in Menard West House where I never fit the criteria. page is a conspirator in depriving plaintiff from Accessing the Courts Rights and from Exhaustion of his institutional Remedies



Above is all of their Involvement's

plaintiff brings this suit under the following Constitutional violations

1. violation of his First Amendment Right to Access the Court.

2. Being in violation of his First Amendment rights to file grievances regarding the conditions of his confinement.

3. Racial Abuse / ~~Racial Abuse~~ Written Racial Abuse

4. Violation of his rights And Rule under the Disciplinary Hearing Entitlement

For The Sum of \$ 250,000

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

To Expunge the 5-16-2012 Disciplinary Report from my Record completely and compensate me the sum of \$30,000 thirty thousand dollars for the first Amendment Violation they subjected me to and the Retaliation and Harassment they also subjected my too as well

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 6 day of June 2014

Kenneth Daugherty
(Signature of plaintiff or plaintiffs)

Kenneth Daugherty
(Print name)

Kenneth Daugherty
(I.D. Number)
N61174

P.O. Box 112
Joliet IL 60434
(Address)